

27821. Adulteration and misbranding of butter. U. S. v. 10 Tubs of Butter. Consent decree of condemnation. Product released under bond. (F. & D. No. 40273. Sample No. 34096-C.)

This product contained less than 80 percent of milk fat.

On or about August 30, 1937, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 tubs of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about August 21, 1937, from Sutherland, Iowa, by the Sutherland Creamery Co., and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Ayrshire Brand Creamery Butter Unsalted * * * Sold by H. C. Christians Co. Johnson Creek, Wisconsin."

It was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat.

The article was alleged to be misbranded in that it was labeled "Butter," which was false and misleading since it contained less than 80 percent of milk fat.

On September 1, 1937, H. C. Christians Co., Chicago, Ill., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released to claimant under bond conditioned that it be brought up to the standard required by law.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

27822. Adulteration of cherries. U. S. v. 5 Crates of Cherries. Default decree of condemnation and destruction. (F. & D. No. 40276. Sample No. 49871-C.)

This product was contaminated with arsenic and lead.

On August 18, 1937, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of five crates of cherries at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about August 13, 1937, by C. C. Kneibes from Watervliet, Mich., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it contained added poisonous or deleterious ingredients, arsenic and lead, which might have rendered it harmful to health.

On September 29, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

27823. Adulteration of walnut meats. U. S. v. 60 Cartons of Walnut Meats. Consent decree of condemnation. Product released under bond to be reconditioned. (F. & D. No. 40297. Sample No. 51536-C.)

Samples of this product were found to be moldy, worm-eaten, and rancid.

On September 14, 1937, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 60 cartons of walnut meats at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about August 20, 1937, by the Terminal Refrigerating Co. from Wilmington, Calif., for Morris Rosenberg, Los Angeles, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Rose Brand Nut Meats Morris Rosenberg Los Angeles Calif."

It was alleged to be adulterated in that it consisted in whole or in part of a filthy and decomposed vegetable substance.

On September 25, 1937, Morris Rosenberg, Los Angeles, Calif., claimant, having consented to the entry of a decree, judgment of condemnation was entered ordering that the product be released to claimant under bond conditioned that it should not be disposed of in violation of the law.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

27824. Adulteration of grapefruit. U. S. v. 17 Boxes of Grapefruit. Default decree of condemnation and destruction. (F. & D. No. 40304. Sample No. 27147-C.)

This product was immature and had been artificially colored.

On September 17, 1937, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the

district court a libel praying seizure and condemnation of 17 boxes of grapefruit at New York, N. Y., alleging that the article had been shipped on or about September 10, 1937, by F. D. A. Carpenter, trading as Villa de Leon Fruit Co., from Bayamon, P. R., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Bright Villa de Leon, Bayamon, Puerto Rico Grown and Packed by Murphy and Clark."

The libel alleged that the article was immature and artificially colored with ethylene gas or by sweating, and that it was adulterated in that it had been colored in a manner whereby inferiority was concealed.

On October 2, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

27825. Adulteration of frozen strawberries. U. S. v. 2 Barrels of Frozen Strawberries. Default decree of condemnation and destruction. (F. & D. No. 40339. Sample No. 50808-C.)

These strawberries were in part moldy.

On September 21, 1937, the United States attorney for the Eastern District of Washington, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of two barrels of strawberries at Spokane, Wash., alleging that the article had been shipped in interstate commerce on or about September 13, 1937, by the Frisbie Maple Sugar & Maple Syrup Co. from Portland, Oreg., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed and putrid vegetable substance.

On November 18, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

27826. Adulteration of butter. U. S. v. 36 Cubes of Butter. Consent decree of condemnation. Product released under bond to be reconditioned. (F. & D. No. 40346. Sample No. 48011-C.)

This product contained less than 80 percent of milk fat.

On September 8, 1937, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 36 cubes of butter at Denver, Colo., alleging that the article had been shipped in interstate commerce on or about July 21, 1937, from Cheyenne, Wyo., having been shipped by the Corbett Ice Cream Co., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter.

On September 14, 1937, the Corbett Ice Cream Co., Cheyenne, Wyo., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be brought up to the legal standard under the supervision of this Department.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

27827. Adulteration of butter. U. S. v. 15 Tubs of Butter. Decree of condemnation. Product released under bond to be reconditioned. (F. & D. No. 40347. Sample No. 67500-C.)

This product contained less than 80 percent of milk fat.

On September 11, 1937, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 15 tubs of butter at Philadelphia, Pa., alleging that the article had been shipped in interstate commerce on or about September 1, 1937, by the Northwest Dairy Forwarding Co. from Duluth, Minn., for the Richmond Cooperative Creamery, Richmond, Minn., and charging adulteration in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter, a product which should contain not less than 80 percent of milk fat.

On September 15, 1937, the Northwest Dairy Forwarding Co., Duluth, Minn., having appeared as claimant, judgment of condemnation was entered, and it was ordered that the product be released under bond conditioned that it be brought up to the legal standard under the supervision of this Department.

HARRY L. BROWN, *Acting Secretary of Agriculture.*